

REMARKS

Claims 1-13 are pending in the present application. Claims 2 and 8-11 have been withdrawn from examination. Claim 13 has been added and support for this claim can be found in paragraph 53. Claim 5 has been amended and support for this amendment can be found in claim 4.

As an initial matter, Applicants request confirmation that all the references submitted in the IDS of December 20, 2001 and March 22, 2002 are under the Examiner's consideration. An initialed copy of the PTO Form 1449s submitted with each of the above-mentioned IDSs were not attached to the last Office Action.

Rejection of Claim 5 Under 35 U.S.C. 112

Claim 5 stands rejected for allegedly being unclear as to which polyamide the claim is referring. Applicants have amended claim 5 to recite that the polyamide is the polyamide as the resin of the thermally molding resin layer of claim 4. Applicants submit that this rejection has been overcome and as such request withdrawal of this rejection.

Double Patenting Rejection

Claims 1, 3-7, and 12 stand rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-24 of U.S. Patent No. 6,613,433, claims 1-20 of US Patent No. 6,659,608 and claims 1-20 of US Patent No. 6,814,902. Applicants file a terminal disclaimer herewith with respect to each of these patents. As such, Applicants request withdrawal of this rejection.

Rejection of Claims 1, 3-7 and 12 Under 35 U.S.C. 102(e)

Claims 1, 3-7 and 12 stand rejected as being allegedly anticipated by US Patent No. 6,613,433 to Yamamoto et al. or U.S. Patent No. 6,659,608 to Yamamoto et al. or U.S. Patent No. 6,814,902 to Yamamoto et al. ("the Yamamoto patents").

In the declaration submitted on January 17, 2002, Applicants claimed priority to Japanese Patent Application No. 2000-387224, which has a filing date of December 20, 2000. Applicants

also submitted a certified copy of the priority Japanese application on January 17, 2002. Applicants hereby submit an English translation of the certified copy of the priority application along with a statement that the translation of the certified copy of the priority document is accurate. As such, Applicants filing date is prior to the 102(e) dates of the Yamamoto patents, and Applicants request withdrawal of this rejection.

Rejection of Claims 1-7 and 12 Under 35 U.S. C. 103(a)

Claims 1-7 and 12 stand rejected under 35 U.S.C. 103(a) as being allegedly rendered obvious by U.S. Patent No. 4,709,991 (“the ‘991 patent”) to Hoshikawa in view of U.S. Patent No. 4,526,818 (“the ‘818 patent”) to Hoshikawa.

According to the Examiner, when comparing the polarizing molded article as recited in the present claims and the polarizing article of the ‘991 patent, the “polyamide sheet layer” of the present claims corresponds to an orientation film of the ‘991 patent, and the “thermally molded resin layer” of the present claims corresponds to a seal of the ‘991 patent, and the “two protective sheet layers” of the present claims correspond to the transparent plates of the ‘991 patent.

However, the orientation film of the ‘991 patent is obtained by orientation treatment by rubbing. The polyamide sheet layer, as recited by the present claims, is not orientation treated. The presence or absence of orientation treatment results in a difference in microstructure between the orientation film of the ‘991 patent and the polyamide sheet layer as recited in the present claims. As such, the polyamide sheet layer of the present claims is structurally different than the orientation film of the ‘991 patent.

The present claims also recite that the polyurethane sheet layer or polyamide sheet layer is connected to one of the two protective sheet layers with an adhesive. This limitation is neither taught nor suggested by the ‘991 patent. The ‘991 patent describes forming the orientation films on the transparent plates by “dipping, printing, and the like.” See col. 6, line 11-12. Particularly given the size of the orientation film of the ‘991 patent—5 to 1,000Å, there is no suggestion to apply this orientation film by an adhesive, as recited by the present claims.

Particularly with respect to new claim 13, this claim recites that the polyamide sheet layer is between about 0.01 and 1.5 millimeters. The orientation film as described in the ‘991 patent is 5 to 1,000Å and the ‘818 patent does not appear to describe a polyamide sheet layer at all, let

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alone a polyamide sheet layer having the particular size range as recited in claim 13. Therefore, Applicants submit that claim 13 and all other claims are not rendered obvious by the '991 patent in view of the '818 patent.

CONCLUSION

Applicants respectfully submit that all rejections and objections to the present application have been overcome.


The Commissioner is authorized to charge any required fees including the Terminal Disclaimer Fees (\$390) or to credit any overpayment associated with the filing of this response to Kenyon & Kenyon's Deposit Account No. 11-0600.

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Respectfully submitted,

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